

EX PARTE OR LATE FILED

DOCKET FILE COPY ORIGINAL



AT&T

Richard N. Clarke

Room 5462C2
295 North Maple Avenue
Basking Ridge, New Jersey 07920
(908) 221-8685

February 6, 1998

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
1919 M. St., NW, Room 222
Washington, D.C. 20554

RECEIVED

FEB - 6 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

RE: Ex Parte Presentation – Proxy Cost Models
CC Docket No. 96-45

Dear Ms. Salas:

Pursuant to the Commission's Public Notice (DA 98-200) issued on February 3, 1998, enclosed is a CD-ROM containing the HAI Model Sponsors' "National Default" Version 5.0a of the HAI Model ("HM 5.0a"), as well as the "FCC Inputs" version of the HM 5.0a. This version differs only minorly from that provided to the Commission on January 30, 1998.¹

In addition, attached to this letter is a letter to Charles Keller of the Universal Service Branch from PNR and Associates. In this letter, PNR states the conditions under which it would be willing to license its Spatial Cluster Module[®] to the FCC or to the federal universal service fund administrator.

¹ The differences between the January 30th version and the current version are as follows. (1) In both the Density Zone and Wire Center Expense Modules, cell E28 of the "Expense Assignment" worksheet (associated with the assignment of costs on a per-dollar of direct cost basis versus on a per line basis) for the Variable Overhead category of cost was hardcoded as "100%". This hardcoded value in cell E28 has now been changed to being determined by the formula, "=1-D28". (2) The current "FCC Inputs" version now defaults to assigning 100% of General Support, Network Operations, Other Taxes and Variable Overhead expenses on a per-line basis; and (3) The line and household counts in the "CBGMuti" table of the model's database have been renormalized.

No. of Copies rec'd 0+1
List ABCDE



Recycled Paper

Ms. Magalie Roman Salas

February 6, 1998

Page 2

Two copies of this Notice are being submitted to the Secretary of the FCC in accordance with Section 1.1206(a)(1) of the Commission's rules. A copy of the CD-ROM is being provided to ITS.

Sincerely,

A handwritten signature in black ink that reads "Richard N. Clarke / ha". The signature is written in a cursive, slightly slanted style.

Richard N. Clarke

Attachment: CD-ROM
PNR letter

cc: Bob Loube
Chuck Keller (w/o CD-ROM)
Sheryl Todd (w/o CD-ROM)

Mr. Charles Keller
Universal Service Branch
Common Carrier Bureau
Federal Communications Commission

February 6, 1998

RE: Proposal to License PNR's Spatial Clustering Module® and Source Code to the FCC

Dear Mr. Keller:

Following up on our recent discussions, PNR is willing to provide the FCC with a non-exclusive, non-transferable, non-assignable, non-sublicenseable license to PNR's Spatial Clustering Module along with a subtending and express right to modify, compile, and execute the source code for a period of 5 years. The information would be provided to the FCC as uncompiled commented C++ code. In recognition that the FCC is a government agency, the price for this license would be \$95,000. This price does not include any maintenance, enhancements, or support. PNR will be willing to provide maintenance and support for an additional fee. It is understood that the source code will be used solely by the FCC or federal USF plan administrator for cost modeling purposes, and will not be released to or modified by any third party without PNR's prior permission.

In as much as the source code is PNR's intellectual property, restrictions on the use of the code and changes to it are necessary. The FCC must agree to take all reasonable steps to protect PNR's interest in this property and must not disclose such information to any person not duly authorized by PNR including competitors, and not permit any person to compile or execute the code, or to examine it in any context other than the Commission's current USF proceeding (CC Dkt. No. 96-45). The FCC shall not represent any changes that it makes to the code as constituting the Spatial Clustering Module without the consent of PNR. Additionally, PNR will retain all ownership rights to the original module and all derivative works thereof.

We would be happy to meet with you at your convenience to discuss this offering. If you have any questions please call me on (215) 886-9619.

Sincerely,

/s/ Christine Antis
PNR and Associates

cc: R. Clarke, AT&T
M. Bryant, MCI
D. Chandler, HAI

DOCUMENT OFF-LINE

This page has been substituted for one of the following:

- o An oversize page or document (such as a map) which was too large to be scanned into the RIPS system.
- o Microfilm, microform, certain photographs or videotape.
- ✓ Other materials which, for one reason or another, could not be scanned into the RIPS system.

The actual document, page(s) or materials may be reviewed by contacting an Information Technician. Please note the applicable docket or rulemaking number, document type and any other relevant information about the document in order to ensure speedy retrieval by the Information Technician.

One CD-ROM.